

Remarks

Applicants thank the Examiner for the careful review of this application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the following remarks, which are responsive to the Official Action mailed February 8, 2005. In the Official Action, the Examiner rejected Claims 1-3, 5, 7-15, 22-24, 26, 27 and 35-40. The Examiner has indicated Claims 16-21 are allowable. Applicants have amended independent Claims 1, 22, and 35. Claims 1-3, 5, 7-24, 26-27, and 35-40 are pending in the present application and the independent claims are Claims 1, 16, 22, and 35.

I. **Restriction Requirement**

Applicants respectfully traverse the Examiner's restriction requirement and submit that Claims 28-34 and 41-46 define aspects of the same invention defined by the other pending claims. Nonetheless, in order to expedite allowance of the pending claims, Applicants are canceling claims 28-34 and 41-46 without prejudice.

II. **Independent Claim Rejections Under 35 U.S.C. Sec. 102 and 103**

The Examiner rejected independent Claim 1 as anticipated by U.S. Patent No. 5,228,859 to Rowe and Claims 1 and 22 as anticipated by U.S. Patent No. 6,155,840 to Sallette. The Examiner also rejected independent Claim 1 as obvious in view of the combination of U.S. Patent No. 6,149,441 to Pellegrino and the Rowe patent. The Applicants respectfully offer remarks to traverse these pending rejections.

Applicants have amended independent Claims 1, 22, and 35 to incorporate certain limitations from previous dependent Claim 4. The Examiner objected to Claim 4 indicating that it defined subject matter that would be allowable if rewritten in independent format. (See Official Action dated 10/1/03, at 6.) Applicants submit that amended independent Claims 1, 22, and 35 are now allowable in view of the language incorporated into these claims from Claim 4.

Specifically, Claims 1, 22, and 35, as amended, now define a capture feature that the authoring program module uses to create a lesson. The capture feature allows the authoring program module to incorporate screen object controls that it does not support. Amended Claims 1, 22, and 35 recite extracting a screen object bit map of the control the authoring program module does not support and saving the screen object bit map for later retrieval. Amended claims 1, 22, and 35 also recite using a script instruction within the lesson to associate a function

with the screen object bit map. The capture feature defined in amended independent Claims 1, 22, and 35 allows the authoring program module to create lesson pages that are independently retrievable and reduce digital memory consumption. (See Specification at 5:19-26; 34:7-16.)

None of the references the Examiner cites describe a capture feature similar to that defined in independent Claims 1, 22, and 35, as amended. In particular, while the Pellegrino patent discloses a method for adding material to a media catalog, Pellegrino's method uses a simple copy and paste function. (See Pellegrino at 14:19-24.) The Pellegrino patent does not teach a solution for incorporating controls into a lesson that are not supported by the authoring tool using a screen object bit map. Accordingly, Applicants submit that Pellegrino and the other cited references do not teach the invention defined by independent Claims 1, 22, and 35, as amended.

III. Dependent Claim Rejections

If an independent claim is allowable, then the claims dependent thereon should also be allowable because they add limitations to the independent claim. *In re Fine*, 5 U.S.P.Q.2d 1596, 1599 (Fed. Cir. 1988). In view of the foregoing remarks with respect to independent Claims 1, 22, and 35, as amended, the Applicants respectfully submit that each dependent claim is patentable over the cited references. Thus, the Applicants request that the Examiner withdraw the rejection of dependent Claims 2, 3, 5, 7-15, 23, 24, 26, 27, and 36-40.

Conclusion

The foregoing is submitted as a full and complete response to the Official Action mailed on February 8, 2005. The Applicants have amended certain claims and provided remarks in response to the Examiner's rejections and objections. The Applicants respectfully submit that the present application is in condition for allowance.

An early notice of allowance is hereby courteously solicited. If any other issues remaining in this application may be resolved by a telephone conference, the Examiner is respectfully requested to contact the undersigned at the following number in Atlanta: (404) 572-3509.

Serial No. 09/638,771

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert T. Neufeld".

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